

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MARILYN ALVERANGA,

Plaintiff,

- against -

**SUPPLEMENTAL
REPORT AND
RECOMMENDATION**

04 CV 4356 (ARR)

MORRIS G. WINSTON, et al.,

Defendants.

-----X

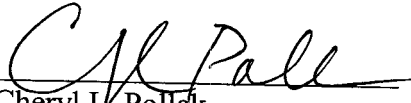
In its Report and Recommendation dated January 9, 2007, this Court respectfully recommended that plaintiff receive a fee award of \$10,767.60, pending plaintiff's attorneys' submission of Affidavits indicating that their time records were maintained and reproduced in accordance with the requirements established by the Second Circuit in New York State Association for Retarded Children, Inc. v. Carey, 711 F.2d 1136, 1148 (2d Cir. 1983). Having now received Declarations from plaintiff's attorneys that comport with Carey's requirements, the Court hereby supplements its previous Report and Recommendation to remove the contingency from the award and respectfully recommend that plaintiff be awarded \$10,767.60.

Any objections to this Report and Recommendation must be filed with the Clerk of the Court, with a copy to the undersigned, within ten (10) days of receipt of this Report. Failure to file objections within the specified time waives the right to appeal the District Court's order. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(e), 72(b); Small v. Sec'y of Health & Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

The Clerk is directed to send copies of this Report and Recommendation to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: Brooklyn, New York
January 22, 2007


Cheryl L. Pollak
United States Magistrate Judge